

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

EARL NELSON,

Plaintiff,

v.

Case No. 18-C-183

ARTHUR OKORO,

Defendant.

ORDER SCREENING AMENDED COMPLAINT

Plaintiff Earl Nelson, who is currently serving a sentence at Milwaukee County House of Correction and representing himself, filed this action under 42 U.S.C. § 1983, alleging violations of his civil rights. In a February 15, 2018 order screening Nelson's complaint, the court permitted him to proceed on his claim that Defendant Arthur Okoro was deliberately indifferent to conditions of his confinement that violated his Eighth Amendment rights. ECF No. 8. Okoro filed an answer to the complaint on April 26, 2018. ECF No. 13. This matter comes before the court because Nelson has filed an amended complaint. ECF No. 15. The court must screen any complaint in a civil action filed by a prisoner against an officer or employee of a governmental entity. 28 U.S.C. § 1915A(a).

The amended complaint asserts essentially the same claim as the original complaint with minor additions regarding exhaustion of administrative remedies. Though it adds little, if anything, of substance to the case, the amended complaint was filed within 21 days of the answer and is therefore within the time a party may amend once as a matter of course. The amended complaint is therefore the operative pleading, and Defendant should file a response on or before May 30, 2018.

Plaintiff has also filed discovery requests with the court. As the notice regarding discovery states, discovery and discovery requests are not to be filed on the electronic docket, but must be served on the attorney for defendant. Plaintiff should inquire of counsel for the defendant whether he will respond to his discovery requests as filed or instead will insist on service by mail or email before he responds.

SO ORDERED at Green Bay, Wisconsin this 8th day of May, 2018.

s/ William C. Griesbach

William C. Griesbach, Chief Judge
United States District Court